

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE
11

12 SYLVIA GONZALES et al.,
13 Plaintiffs,
14 v.
15 UR JADDOU et al.,
16 Defendants.

CASE NO. 2:24-cv-01604-LK

ORDER GRANTING STIPULATED
MOTION TO HOLD CASE IN
ABEYANCE

16 This matter comes before the Court on the parties' Stipulated Motion to Hold Case in
17 Abeyance. Dkt. No. 4. Plaintiffs brought this litigation under the Administrative Procedure Act
18 and Mandamus Act seeking, *inter alia*, to compel U.S. Citizenship and Immigration Services
19 ("USCIS") to adjudicate two Forms I-485, or Applications to Register Permanent Residence or
20 Adjust Status. Dkt. No. 1 at 6–15. Because the parties are currently working towards an out-of-
21 court resolution to this litigation, they now move this Court to hold the case in abeyance until
22 March 28, 2025. Dkt. No. 4 at 1.

23 "[T]he power to stay proceedings is incidental to the power inherent in every court to
24 control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). The Court “may order
 2 a stay of the action pursuant to its power to control its docket and calendar and to provide for a
 3 just determination of the cases pending before it.” *Leyva v. Certified Grocers of Cal., Ltd.*, 593
 4 F.2d 857, 864 (9th Cir. 1979). In considering whether to grant a stay, courts consider several
 5 factors, including “the possible damage which may result,” “the hardship or inequity which a party
 6 may suffer in being required to go forward,” and “the orderly course of justice[.]” *CMAX, Inc. v.*
 7 *Hall*, 300 F.2d 265, 268 (9th Cir. 1962).

8 As the parties note, this case may be resolved without further judicial intervention. Dkt.
 9 No. 4 at 2. The parties represent that “USCIS issued a request for evidence (‘RFE’) to [Plaintiff
 10 Jose Manuel Carillo] Montano,” and that “[h]is counsel reports that the response [to that RFE] will
 11 be submitted imminently.” *Id.* USCIS has issued a separate RFE to Plaintiff Alberto Antonio Pena
 12 Rodriguez, which seeks his “original medical” by February 28, 2025. *Id.* Pena Rodriguez’s counsel
 13 reports “that an appointment has been made with the doctor for a new medical and to update
 14 laboratory tests.” *Id.* The parties aver that “[a]dditional time is necessary to allow Plaintiffs to
 15 submit the responses” to USCIS’s RFEs and “for USCIS to review the responses and adjudicate
 16 the applications.” *Id.* If and when that happens, “this case will be moot.” *Id.* A stay to allow this
 17 process to play out will not cause any damage, nor any hardship or inequity to either party, and
 18 will promote the orderly course of justice and preserve the parties’ and the Court’s resources.

19 The Court thus GRANTS the parties’ stipulated motion. Dkt. No. 4. This case will be held
 20 in abeyance until March 28, 2025. The parties are ORDERED to submit a joint status report on or
 21 before March 28, 2025.

22 Dated this 19th day of December, 2024.

23 
 Lauren King
 24 United States District Judge